

WELFARE REFORM COMMITTEE

THE FUTURE DELIVERY OF SOCIAL SECURITY IN SCOTLAND

WRITTEN SUBMISSION FROM INVERCLYDE HEALTH AND SOCIAL CARE PARTNERSHIP

Call for Evidence

Whilst the devolution of some aspects of Social Security continues to be debated during the passage of the Scotland Bill, the Welfare Reform Committee has opted to focus on the practical implementation of the social security schemes outlined in the Smith Agreement.

The Committee invites all interested individuals and organisations to submit written evidence on the Smith Agreement and how we can use the proposed devolved powers to better deliver benefits in Scotland. The Committee is tacking this inquiry in four work streams and wants to know:

How should the new welfare powers proposed by the Smith Agreement be used to improve or change:

a.) Personal Independence Payments, Disability Living Allowance Attendance Allowance and Carer's Allowance

The integration of Health and Social Care could better support the local delivery of disability and carer benefits; however there are good reasons not to devolve the assessment and administration of these benefits into the newly formed integrated partnerships. The alternative could be delivered within Revenues and Benefits who already have responsibility for administering SWF, as well as experience of assessing eligibility against legislation.

Social work as a profession has been reticent to adopt the role of gatekeeper to benefit eligibility. To adopt such a role would be to fetter the primary responsibility of the ability to advocate on behalf of the client.

Not everyone with a disability will be known to Health and Social Care Services nor indeed want to be: Unequal access to health care as a result of socio-economic disadvantage and demographics is a reality; linking eligibility to social care assessments risks exacerbating perceptions of stigmatisation

Information and evidence gathered for social care assessments however could be shared, preventing duplication and the burden on the applicant to provide the same evidence to more than one agency. The application process could be simplified by allowing some decisions to be made on appropriate paper based evidence with the option to refer for a medical assessment if required.

There are, however, valuable lessons to be gleaned from the SDS agenda that should be incorporated into any new model of Disability Benefit assessment. Concepts such as user involvement, autonomy, self-determination and independence should inform any assessment of Disability Benefit. The assessment itself should be predicated on a social, rather than exclusively medical, model of disability.

The benefit, however, must remain a cash payment in recognition of the additional costs incurred by reason of impairment (research by DEMOS calculated the average expenditure

on disability to be £550 per month). Preserving the direct cash payment to a claimant is also an expression of wider society's collective responsibility and commitment to social justice for those in need. In addition the cash spend of Disability Benefits with its multiplier effect should not be underestimated as a key driver of the local economy.

The Scottish Parliament should seek to adopt the 6 principles for Disability Benefit assessment as outlined by Scope:

1. Co-designed and co-produced

Disabled people should be directly involved in designing and setting the new assessment criteria;

2. Multi-dimensional criteria

The assessment should reflect the fact that the barriers disabled people face, which results in extra costs, are multi-dimensional;

3. Assessors with specialist understanding

Medical professionals are inappropriate as sole assessors within a social model approach;

4. Indicative decision stage

Disabled people should not be forced to go without support for indefinite time periods if they challenge their assessment decision. This should be by way of direct access to an independent appeal stage without the requirement for 'mandatory reconsideration'. Allow for access to hardship payments whilst waiting a further decision;

5. Signposts to support

Assessments should be utilised as an opportunity to provide support to disabled people more holistically – housing, social care, employment rights and support, further benefits/money advice to help remove barriers and promote independence;

6. Financial eligibility

Extra costs payments should not be means tested. The opportunity also exists for the Scottish Parliament to consider the interface between payment of Disability Benefit and local authority charging policies, the scenario where you pay on the one hand and remove with the other.

If Carers Allowance was delivered locally an automatic referral could be made to other local agencies such as homecare and third sector organisations. Together these adjustments could improve the quality of life of the carer and the individual receiving the care. Local delivery would make these services more accountable and a single view of the customer and their care provision would ensure all available help and support is in place as well as potentially preventing institutional care costs.

b.) Universal Credit (housing element and administrative arrangements arrangements) and Discretionary Housing Payments

Universal Credit

Consideration should be given to adopting the default position of having the UC Housing Cost element paid direct to the landlord on a permanent arrangement. Clause 25 deals with UC, persons to whom, and time when, paid. A single monthly payment creates the risk of a single point of failure if things go wrong. Budgeting fortnightly can be an effective strategy for managing a low income. The move to monthly payments risks disrupting existing budget

arrangements. Research by the Scottish Government in regard to the move to household benefit payments concluded, who receives income in a household affects how it is distributed. Research indicated a 'gender distribution' of income in low income households. Distributing income to women means it is more likely to be spent on children and family needs than if distributed to men therefore consideration should be made to ensure payment to couples is made to the most relevant partner.

We note the power to vary non-dependent deductions in terms of both levels and definitions therefore the Scottish Parliament should explore the feasibility of introducing further categories of exemption from non-dependent deductions, for example receipt of IIDB.

The cost of developing and supporting bespoke Scottish UC claim IT system functionality to allow the flexibility to meet the market rents of Local Housing Allowance and the removal of the Social Sector Size Criteria may be considerable or even prohibitive.

An alternative and perhaps less expensive option may be to introduce a local dimension to the administration of the Housing Element of UC by Local Authorities utilising skills and enhancing systems such as ATLAS, already in place. Local Authorities could be informed of UC entitlement and assess housing costs taking account of the additional powers then either notify DWP of the value to be included within the UC payment or award as DHP. This would incur development and support costs in respect of ATLAS and on-going operational costs for local authorities.

DHP

It is acknowledged that Universal Credit will make the administration of DHP difficult to manage however the administration of the scheme should remain local ensuring the needs of the most vulnerable in communities are met. The local administration of DHP compliments local delivery of the Scottish Welfare Fund (Welfare Funds (Scotland)) and potentially the additional benefits set out within the Smith Agreement.

c.) the Work Programme and Work Choice

The devolved powers give the opportunity to develop initiatives to suit the local labour market and local employers and address current skills shortages and to plan for the future.

d.) the Regulated Social Fund, new benefits, top-ups and delivery of benefits overall.

Devolving Regulated Social Fund payments to local authorities would permit the level of grants to reflect local market conditions and the option to tender for contracts – such as the provision of baby equipment.

Entitlement could be linked to Council Tax records, this would ensure that it is awarded to householders and targeted to those who are most in need. Options around the level of payment could be linked to Council Tax Reduction entitlement; based on Council tax banding.

Winter fuel payments – At present WFPs are universal (with certain limited exclusions), disregarded as income and capital, non means tested and should remain so. Any departure from the current universal approach will inevitably result in increased administration costs and lower take up, with the associated risks that those most in need will miss out, increasing the inequalities gap.

Expatriates should be excluded from receiving winter fuel payments; again verification against Council Tax records would ensure accuracy.

ADDITIONAL COMMENTS

How will the adjustment of the block grant operate in subsequent years?

Should PIP, DLA and Carers Allowance be devolved to Local authorities, would remuneration be in line with the current Housing Benefit subsidy scheme, i.e. remuneration made in line with payments made to customers. If funding was in line with the current SWF programme funding model; this would potentially put many individuals at risk who would qualify based on assessment but the programme funding pot could be exhausted?

The Smith Commission indicated that the amount would need to be 'indexed appropriately'. If linked to UK spending on welfare, cuts in welfare at a UK level will be reflected in the resource transfer from Westminster to Scotland.

Will the block grant decrease in tandem with cuts to the UK welfare budget?

If so we are concerned that it leads to questions of affordability and sustainability not least within the demographic context of an aging population in Scotland.

Approximately half of the welfare spend on devolved benefits will be directed at pensioners: Attendance Allowance; DLA – one third of current DLA is claimed by pensioners; Winter Fuel Payments; Carers Allowance – approximately 40% of those entitled to Carers Allowance are over the age of 60 (although entitled the majority will not actually receive payment of Carers Allowance due to the overlapping benefit provisions).